

Order

Michigan Supreme Court
Lansing, Michigan

January 30, 2006

Clifford W. Taylor,
Chief Justice

129804

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 129804
COA: 261091
Wayne CC: 00-007838

HERBERT J. MORTON,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the September 21, 2005 order of the Court of Appeals is considered, and it is DENIED, because the defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D).

KELLY, J., would hold this case in abeyance for *People v Drohan*, lv gtd 472 Mich 881 (2005).



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

January 30, 2006

Corbin R. Davis

Clerk